

UNITED STATES OF AMERICA

SOUTHERN DISTRICT OF TEXAS

United States District Court  
Southern District of Texas  
FILED

MAY 13 2014

David J. Bradley, Clerk of Court

LOUIS LUYTEN

PETITIONER

V.

INMATE DONALD COOK

DEFENDANT

CIVIL ACTION: No:

1

JUDGE:

## MOTION TO COMMENCE A BIVENS CIVIL ACTION

1. Petitioner requests the Honorable Court to begin a civil action against defendant Donald Cook for assault on my person.
2. On April 7, 2014 inmate Cook brutally assaulted me in cell 423 of QA Unit at Beaumont FCC MED.
3. I am a 76 year old, former Nato Airforce pilot, I was assaulted maliciously and with premeditation by defendant who slammed me with full force on my left ear while I was seated on my bed.  
The air was driven into the ear cavity so that the eardrum burst with the blow, causing concussion and permanent hearing damage. Cook also kicked me in the right knee bringing about pain and knee injury.  
An assault causing harm to an elderly is considered absolutely wrong.

4. I am a naturalized foreign national (Belgium), indigent and I am asking the Court to proceed in Forma Pauperis.
5. Petitioner cannot afford to hire a lawyer, Pursuant to 28 U.S.C. § 1915(e)(1), petitioner is asking the Court for an order to appoint counsel to represent me in this case.
6. Petitioner's imprisonment in S.H.U. and recent retaliatory redesignation to an unfamiliar Institution with restrictive rules and unjust placement in the Special Housing Unit after the assault, and being denied access to my legal paperwork from my property, greatly limit his ability to litigate the case without a lawyer.
7. Petitioner's knowledge of the English language as a foreign national is limited and he has never before been a party to a civil legal procedure.
8. A lawyer would assist petitioner in the presentation of evidence and the cross examination of witnesses.

Respectfully submitted this 8<sup>TH</sup> day of May 2014.

Louis Luyten

LOUIS LUYTEN

29882-050

BEAUMONT FCC. MED.

P.O. BOX 26040

BEAUMONT, TX 77720

BEAUMONT F.C.C. MED.  
P.O. BOX 26040  
BEAUMONT, TX 77720

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1983

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CLERK'S OFFICE  
UNITED STATES DISTRICT COURT  
SOUTHERN TEXAS  
P.O. BOX 61010  
HOUSTON, TX 77208

May 08, 2014.

RE: CIVIL ACTION

Dear Sir, Madame,

Enclosed please find a motion to open a civil action  
for assault on my person by cell-mate Donald Cook.

Please send me the information guide to be able to  
file the action.

I also would like to obtain a copy of the applicable  
Texas State Law for my cause.

Sincerely yours,

Louis Luyten  
05/08/2014.

LOUIS LUYTEN 29882-000  
BEAUMONT F.C.C. MED.  
P.O. BOX 26040  
BEAUMONT, TX 77720

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LEGAL CORRESPONDENCE

7720821010

HOUSTON, TX 77208

CLERK'S OFFICE  
UNITED STATES DISTRICT COURT  
SOUTHERN TEXAS  
P.O. BOX 61010

